

DURHAM CITY COUNCIL WORK SESSION
THURSDAY, JULY 24, 2008 – 1:00 p.m.
Committee Room – 2nd Floor – City Hall

Present: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. **Excused Absence:** Mayor Bell and Council Member Ali.

SUBJECT: FY 08-09 HOME AGREEMENTS WITH DURHAM COMMUNITY LAND TRUSTEES, INC.

MOTION by Council Member Woodard seconded by Council Member Catotti to suspend the rules of the City Council and take action on the above mentioned subject was approved at 1:21 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

MOTION by Council Member Woodard seconded by Council Member Brown to authorize the expenditures of FY 08-09 HOME funds in an amount not to exceed \$200,000.00; and

To authorize the City Manager to execute a HOME Community Housing Development Organization (CHDO) Grant Agreement and other related legal documents with Durham Community Land Trustees, Inc. in an amount not to exceed \$160,000.00 to support the acquisition and if necessary, demolition, of not fewer than five (5) lots, available for sale to low-to moderate-income households;

To authorize the City Manager to execute a HOME Community Housing Development Organization (CHDO) Operating Grant Agreement and other related legal documents with Durham Community Land Trustees, Inc. in an amount not to exceed \$40,000.00 to support the activities of a Construction Manager to improve the West End Communities; and

To authorize the City Manager to modify any of the agreements before execution provided that the modifications do not increase the dollar amount of the agreements and do not lessen the obligations of the contractor was approved at 1:21 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

SUBJECT: APPROVAL OF AN ECONOMIC DEVELOPMENT INITIATIVE (EDI) – SPECIAL PROJECTS SUBRECIPIENT CONTRACT BETWEEN THE CITY OF DURHAM AND CALVARY MINISTRIES OF THE WESTEND, INC. – LYON PARK COMMUNITY CENTER

July 24, 2008

MOTION by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:21 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

MOTION by Council Member Woodard seconded by Council Member Catotti to authorize the expenditure of up to \$91,353.97 in Economic Development Initiative (EDI) – Special Projects grant funds by Calvary Ministries of the Westend Community, Inc. for the purchase of equipment for the kitchen at the Lyon Park Community Center; and

To authorize the City Manager to execute the contract and to make minor modifications to the contract which do not increase the contract amount, lessen the obligations of the contractor or extend the term of the contract beyond October 31, 2008 was approved at 1:21 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

**SUBJECT: PROPOSED SALE OF PROPERTY AT 521-C EASTWAY AVENUE
PIN #0831-10-45-4586**

MOTION by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:22 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

MOTION by Council Member Woodard seconded by Council Member Catotti to determine the property at 521-C Eastway Avenue to be surplus;

To authorize the sale of the property under the authority of Section 86 of the City Charter;

To accept the offer to purchase for the property located at 521-C Eastway Avenue; and

To authorize the City Manager to sell and the Mayor to convey the properties by a non-warranty deed and authorize the City Manager to terminate these contracts for sale if the contract terms are not fulfilled was approved at 1:22 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

July 24, 2008

**SUBJECT: PURCHASE OF TERRAPLAS FIELD PROTECTANT –
TERRAPLAS NORTH AMERICA (A DIVISION OF VENUE
REVENUE, LLC)**

MOTION by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:24 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

MOTION by Council Member Woodard seconded by Council Member Brown to accept the bid from Terraplas North America (a division of Venue Revenue, LLC) for providing the City with “Terratile” field protectant, “TerracoverII” drivable roadway system, and compatible edging and wheelchair and vehicular access ramps;

To authorize the City Manager to enter into a contract with Terraplas North America, in the amount of \$655,600.00 for providing the City with Terraplas Field Protectant, edging and ramps; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 1:24 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

**SUBJECT: CONTRACT FR-1, 2007 FACILITY RESURFACING AMENDMENT
#1 – BARRETT, IRVIN AND JORDAN CONSTRUCTION, INC.**

MOTION by Council Member Woodard seconded by Council Member Brown to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:28 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

MOTION by Council Member Woodard seconded by Council Member Catotti to authorize the City Manager to execute a contract amendment with Barrett, Irvin and Jordan Construction, Inc. for Contract FR-1, 2007 Facilities Resurfacing;

To authorize an increase in the project contingency in the amount of \$100,000.00 for a total project contingency of \$168,163.44; and

July 24, 2008

To authorize the City Manager to negotiate change orders for the contract provided that the cost of all change orders does not exceed the contingency amount and the total project costs does not exceed \$622,586.34; and

To authorize the City Manager to make changes to the contract amendment before execution, provided the changes does not increase the amount to be paid by the City and

does not decrease the goods and services to be provided to the City was approved at 1:28 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Bell and Council Member Ali.

D. Ann Gray, MMC
City Clerk